

OFFICE OF GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 09-54(CH)

March 30, 2009

TO: All Regional Directors, Officers-In-Charge,
and Resident Officers

FROM: Richard A. Siegel, Associate General Counsel

SUBJECT: Continued Submission of First Contract Bargaining Cases to the
Division of Advice

In Memorandum GC 06-05 and Memorandum GC 07-08, the General Counsel set forth a remedial initiative dealing with first contract bargaining cases intended to ensure that employees have freedom of choice on the issue of union representation, free of coercion by any party, and that their decision in an election is protected. In order to ensure consistent analysis and the pursuit of appropriate remedies in union organizing and initial contract bargaining cases, both memoranda instructed Regional Offices to submit certain cases, with a Regional Office recommendation, to the Division of Advice.

Subsequently, in Memorandum GC 08-09, dated July 1, 2008, the General Counsel directed Regions to continue to submit first contract bargaining cases in which merit had been found involving unfair labor practices to the Division of Advice, with a copy to the Division of Operations-Management, for an additional period of 6 months.

To ensure the continued effectiveness of the General Counsel's first contract initiative, until further notice, please continue to submit these cases to the Division of Advice, with a copy to the Division of Operations-Management.

If you have any questions concerning this memorandum, please contact your AGC or Deputy AGC.

/s/
R.A.S.

cc: NLRBU
Release to the Public

MEMORANDUM OM 09-54(CH)